

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF TEXAS

Case number (if known) \_\_\_\_\_

Chapter 11 Check if this an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<u>Athenex, Inc.</u>		
2. All other names debtor used in the last 8 years	<u>FKA Kinex Pharmaceuticals, Inc.</u> <u>DBA Kinex Pharmaceuticals</u> <u>Athenex Sciences</u>		
Include any assumed names, trade names and doing business as names			
3. Debtor's federal Employer Identification Number (EIN)	<u>43-1985966</u>		
4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business	
	<u>Conventus Building 1001 Main Street, Suite 600 Buffalo, NY 14203</u>	<u>P.O. Box, Number, Street, City, State &amp; ZIP Code</u>	
	Number, Street, City, State & ZIP Code		
	<u>Erie</u>	Location of principal assets, if different from principal place of business	
	County		
		Number, Street, City, State & ZIP Code	
5. Debtor's website (URL)	<u>www.athenex.com</u>		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____		

Debtor

Athenex, Inc.

Name

Case number (if known)

## 7. Describe debtor's business

## A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

## B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5417

## 8. Under which chapter of the Bankruptcy Code is the debtor filing?

## Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

## 9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

 No. Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_  
District \_\_\_\_\_When \_\_\_\_\_  
When \_\_\_\_\_Case number \_\_\_\_\_  
Case number \_\_\_\_\_

Debtor Athenex, Inc. \_\_\_\_\_ Case number (if known) \_\_\_\_\_  
 Name \_\_\_\_\_

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

No  
 Yes.

List all cases. If more than 1, attach a separate list

Debtor	<b>See Rider 1 attached hereto</b>	Relationship	<b>Affiliate</b>
District	<b>Southern District Texas, Houston</b>	When _____	Case number, if known _____

**11. Why is the case filed in this district?** Check all that apply:

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.  
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

No  
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
 What is the hazard? \_\_\_\_\_  
 It needs to be physically secured or protected from the weather.  
 It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).  
 Other \_\_\_\_\_

**Where is the property?**

Number, Street, City, State & ZIP Code

**Is the property insured?**

No  
 Yes. Insurance agency \_\_\_\_\_  
 Contact name \_\_\_\_\_  
 Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds** Check one:  
 Funds will be available for distribution to unsecured creditors.  
 After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

<input type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input checked="" type="checkbox"/> 200-999		

**15. Estimated Assets**

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input checked="" type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor	<u>Athenex, Inc.</u>	Name	Case number ( <i>if known</i> )
<b>16. Estimated liabilities</b>			
<input type="checkbox"/> \$0 - \$50,000		<input type="checkbox"/> \$1,000,001 - \$10 million	
<input type="checkbox"/> \$50,001 - \$100,000		<input type="checkbox"/> \$10,000,001 - \$50 million	
<input type="checkbox"/> \$100,001 - \$500,000		<input type="checkbox"/> \$50,000,001 - \$100 million	
<input type="checkbox"/> \$500,001 - \$1 million		<input checked="" type="checkbox"/> \$100,000,001 - \$500 million	
<input type="checkbox"/> \$500,000,001 - \$1 billion			
<input type="checkbox"/> \$1,000,000,001 - \$10 billion			
<input type="checkbox"/> \$10,000,000,001 - \$50 billion			
<input type="checkbox"/> More than \$50 billion			

Debtor

Athenex, Inc.

Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 2023

MM / DD / YYYY

**X** /s/ Nicholas K. Campbell

Signature of authorized representative of debtor

**Nicholas K. Campbell**

Printed name

Title Chief Restructuring Officer

**18. Signature of attorney**

**X** /s/ Michael D. Warner

Signature of attorney for debtor

Date May 14, 2023

MM / DD / YYYY

**Michael D. Warner**

Printed name

**Pachulski Stang Ziehl & Jones LLP**

Firm name

**440 Louisiana Street**

**Suite 900**

**Houston, TX 77002**

Number, Street, City, State & ZIP Code

Contact phone 714-384-4740

Email address mwarner@pszjlaw.com

**00792304 TX**

Bar number and State

**Rider 1 to Voluntary Petition**

On the date hereof, each of the affiliated entities listed below, including the debtor in this chapter 11 case (collectively, the “Debtors”), filed a petition in this Court for relief under chapter 11 of title 11 of the United States Code.

1. Athenex Pharma Solutions, LLC
2. Athenex Pharmaceutical Division, LLC
3. Athenex R&D LLC
4. Athenex, Inc.
5. Cell Medica, Inc.
6. Kuur Therapeutics Inc.

**Official Form 201A (12/15)**

*[If debtor is required to file periodic reports (e.g. forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code, this Exhibit "A" shall be completed and attached to the petition.]*

**United States Bankruptcy Court**  
**Southern District of Texas**

In re **Athenex, Inc.**

Debtor(s)

Case No.

Chapter

**11**

**Attachment to Voluntary Petition for Non-Individuals Filing for  
Bankruptcy under Chapter 11**

1. If any of the debtor's securities are registered under Section 12 of the Securities Exchange Act of 1934, the SEC file number is **001-38112**.

2. The following financial data is the latest available information and refers to the debtor's condition on **12/31/2022**.

a. Total assets \$ **204,055,000.00**

b. Total debts (including debts listed in 2.c., below) \$ **228,236,000.00**

c. Debt securities held by more than 500 holders:

									Approximate number of holders:

secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<b>0.00</b>		<b>0</b>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<b>0.00</b>		<b>0</b>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<b>0.00</b>		<b>0</b>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<b>0.00</b>		<b>0</b>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<b>0.00</b>		<b>0</b>

d. Number of shares of preferred stock \_\_\_\_\_ 0 \_\_\_\_\_ 0

e. Number of shares common stock **413,205** **118**

Comments, if any:

3. Brief description of Debtor's business:

**A global oncology focused biopharmaceutical company dedicated to the discovery, development and commercialization of novel therapies for the treatment of cancer, aiming to develop safer and more efficacious cancer medication.**

4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:

**Perceptive Advisors LLC  
IP Group PLC**

SECRETARY'S CERTIFICATE  
OF  
ATHENEX, INC.

May 12, 2023

The undersigned hereby certifies that she is the duly elected and qualified acting Secretary of Athenex, Inc., a Delaware Corporation (the “*Company*”), and further certifies in such capacity that attached hereto as Exhibit A is a true, complete and correct copy of resolutions duly adopted by the board of directors of the Company. Such resolutions have not been amended, modified or rescinded since their adoption and remain in full force and effect as of the date hereof.

**IN WITNESS WHEREOF**, the undersigned has executed this Secretary's Certificate as of the date first set forth above.



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Jennifer Shiao  
Secretary, Athenex, Inc.

**RESOLUTIONS OF THE  
BOARD OF DIRECTORS OF  
ATHENEX, INC.**

The undersigned, constituting all of the members of the Board of Directors (the “**Board**”) of Athenex, Inc., a Delaware corporation (the “**Company**”), acting in accordance with Section 141(f) of the General Corporation Law of the State of Delaware and the Company’s Amended and Restated Bylaws (the “**Bylaws**”), hereby adopt the following recitals and resolutions effective as of May 12, 2023.

**WHEREAS**, the Board of Directors has reviewed and considered the financial and operational condition of the Company and the Company’s business on the date hereof, including the historical performance of the Company, the assets of the Company, the current and long-term liabilities of the Company, and the market for the Company’s products and services;

**WHEREAS**, the Board of Directors has received, reviewed, and considered the recommendations of the senior management of the Company and the Company’s legal and other advisors as to the relative risks and benefits of pursuing a bankruptcy proceeding under the provisions of chapter 11 of Title 11 of the United States Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of Texas (the “**Bankruptcy Court**”);

**NOW, THEREFORE, BE IT RESOLVED** that, in the judgment of the Board of Directors, it is desirable and in the best interests of the Company, its creditors, stockholders, and other interested parties, that a voluntary petition be filed by the Company under the provisions of chapter 11 of the Bankruptcy Code;

**RESOLVED**, that the officers of the Company (each, an “**Authorized Officer**”) be, and each of them hereby is, authorized on behalf of the Company to execute, verify, and file all petitions, schedules, lists, and other papers or documents, and to take and perform any and all further actions and steps that any such Authorized Officer deems necessary, desirable and proper in connection with the Company’s chapter 11 case, which include, but is not limited to, selling all or substantially all of the Company’s assets or prosecuting a chapter 11 plan, with a view to the successful prosecution of such case;

**RESOLVED FURTHER**, that the Authorized Officers, on behalf of the Company, are authorized and empowered to retain the law firm of Pachulski Stang Ziehl & Jones LLP (“**PSZJ**”) as bankruptcy counsel to represent and assist the Company in carrying out its duties under chapter 11 of the Bankruptcy Code, and to take any and all actions to advance the Company’s rights in connection therewith, and the Authorized Officers are hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers prior to and immediately upon the filing of the bankruptcy, and to cause to be filed an appropriate application for authority to retain the services of PSZJ;

**RESOLVED FURTHER**, that the Authorized Officers, on behalf of the Company, are authorized, empowered and directed to retain MERU, LLC (“**MERU**”) to provide certain financial advisory and transaction advisory services to the Company, and in connection therewith, the Authorized Officers are hereby authorized and directed to execute appropriate retention

agreements, pay appropriate retainers prior to and immediately upon the filing of the bankruptcy, and to cause to be filed an appropriate application for authority to retain the services of MERU;

**RESOLVED FURTHER**, that Nicholas Campbell of MERU has been appointed, effective as of April 19, 2023, to serve as Chief Restructuring Officer of the Company and its affiliates, shall be an Authorized Officer (as defined in these resolutions), and is hereby authorized to make decisions with respect to all aspects of the management and operation of each Company's business including, without limitation, organization, human resources, marketing, sales, logistics, finance, administration, oversight, of the prosecution of each Company's bankruptcy case, including, but not limited to, bankruptcy-related reporting requirements, filing of Statement of Financial Affairs, Schedule of Assets and Liabilities, a chapter 11 plan and related disclosure statement, claims management, managing outside professionals and such other aspects as he may identify, in such manner as he deems necessary or appropriate in his sole and reasonable discretion consistent with the business judgment rule, subject only to appropriate governance by the applicable Board, in accordance with each Company's certificate of incorporation, certificate of formation, bylaws, limited liability company agreement, applicable laws and applicable bankruptcy law and order of the Court;

**RESOLVED FURTHER**, that the Authorized Officers be, and each of them hereby is, authorized, empowered, and directed, on behalf of the Company, to retain the services of Epiq Corporate Restructuring, LLC ("Epiq") as the Company's claims, noticing, and solicitation agent and administrative advisor, and in connection therewith, the Authorized Officers are hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers prior to and immediately upon the filing of the bankruptcy, and to cause to be filed an appropriate application for authority to retain the services of Epiq;

**RESOLVED FURTHER**, that the Authorized Officers be, and hereby are, authorized and empowered to employ any other professionals necessary, including but not limited to, investment bankers, to assist the Company in carrying out its duties under the Bankruptcy Code; and in connection therewith, the Authorized Officers are hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers prior to or immediately upon the filing of the chapter 11 case and cause to be filed appropriate applications with the Bankruptcy Court for authority to retain the services of any other professionals, as necessary, and on such terms as are deemed necessary, desirable, and proper;

**RESOLVED FURTHER**, that the Authorized Officers be, and each of them hereby is, authorized on behalf of the Company to take any and all actions, to execute, deliver, certify, file and/or record and perform any and all documents, agreements, instruments, motions, affidavits, applications for approvals or rulings of governmental or regulatory authorities or certificates and to take any and all actions and steps deemed by any such Authorized Officer to be necessary or desirable to carry out the purpose and intent of each of the foregoing resolutions and to effectuate a successful chapter 11 case;

**RESOLVED FURTHER** that the Authorized Officers be, and each of them hereby are, authorized and empowered to obtain postpetition financing according to terms to be negotiated by management of the Company, including under debtor-in-possession credit facilities or relating to the use of cash collateral; and to enter into any guarantees and to pledge and grant liens on its assets as may be contemplated by or required under the terms of such postpetition financing or

cash collateral agreements; and in connection therewith, the Authorized Officers are hereby authorized and directed to execute appropriate loan agreements, cash collateral agreements and related ancillary documents;

**RESOLVED FURTHER**, that any and all actions heretofore taken by any Authorized Officer or the directors of the Company in the name and on behalf of the Company in furtherance of the purpose and intent of any or all of the foregoing resolutions be, and hereby are, ratified, confirmed, and approved in all respects; and

**RESOLVED FURTHER**, that all acts previously done and performed (or caused to be done and performed) in the name and on behalf of the Company prior to the date hereof in furtherance of any of the foregoing resolutions and the actions contemplated therein be, and the same are, ratified, confirmed and approved.

**Fill in this information to identify the case:**Debtor name Athenex, Inc.United States Bankruptcy Court for the: SOUTHERN DISTRICT OF TEXAS

Case number (if known) \_\_\_\_\_

 Check if this is an amended filing**Official Form 202****Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets–Real and Personal Property (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- Schedule H: Codebtors (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- Amended Schedule
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- Other document that requires a declaration Corporate Ownership Statement, List of Equity Holders, Creditor Matrix Verification

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 2023X /s/ Nicholas K. Campbell

Signature of individual signing on behalf of debtor

Nicholas K. Campbell

Printed name

Chief Restructuring Officer

Position or relationship to debtor

## Fill in this information to identify the case:

Debtor name Athenex, Inc.United States Bankruptcy Court for the Southern District of Texas  
(State)

Case number (If known): \_\_\_\_\_

 Check if this is an amended filing

## Official Form 204

**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 30 Largest Unsecured Claims and Are Not Insiders (on a Consolidated Basis)**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1.	Ingenus Pharmaceuticals 4190 Millenia Blvd Orlando, FL 32839	Samir Mehta info@ingenus.com; smehta@ingenus.com	Trade Debt				\$8,088,996.00
2.	Chongqing Sintaho Pharmaceutical 600, Liuqing Road Maliuzui Town, Banan District Chongqing, 401319 CHINA	Amy Wu Tel. +86-23-8896 1270 info@sintaho.com	Trade Debt				\$6,755,948.00
3.	Baylor College of Medicine One Baylor Plaza Houston, TX 77030-3411	Michael B. Dilling Michael.Dilling@bcm.edu	Trade Debt	Disputed			\$6,280,000.00
4.	Gland Pharma Limited 6-3-865/1/2, Flat No.201 Greenland Apartments, Ameerpet Hyderaad, 500 016 INDIA	Prathyusha Pantareddy gland@glandpharma.com; Prathyusha.pantareddy@glan dpharma.com	Trade Debt				\$5,481,429.00
5.	Indena Viale Ortles 12 20139 Milano, ITALY	Stephano Togni, Robert Sacco, Emanuele Agnese Tel. 257-4961 stefano.togni@indena.com; roberta.sacco@indena.com; emanuele.agnese@indena.co m	Trade Debt				\$3,731,991.00

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
6.	GenScript Probio USA Inc. 860 Centennial Ave. Piscataway, NJ 08854	Tiancheng Zhou tiancheng.zhou@genscript.com	Trade Debt				\$2,718,357.00
7.	EverSana Life Science Services, LLC 24740 Network Place Chicago, IL 60673-1247	Kendra Winfield, Errick Wright, Kaye Nearwood billing@Eversana.com; kaye.nearwood@eversana.com; errick.wright@eversana.com; kendra.winfield@eversana.com	Trade Debt				\$1,400,000.00
8.	MAIA Pharmaceuticals, Inc. 707 State Road Suite 104 Princeton, NJ 08540	Bikram Malik Maiafinance@Maiapharma.com	Trade Debt				\$1,291,535.00
9.	Hainan Shuangcheng Pharmaceuticals No. 16 Xingguo Road Xiuying District Haikou, 570314 CHINA	Vivian Chen Tel. 86-898-68629718 vivian.chen@hnsp.com	Trade Debt				\$1,182,160.00
10.	IBI – Istituto Biochimico Via Fossignano, 2 04011, Aprilia ITALY	Nicola Blundo, Eleazar Fadda Tel. +39 06 921501 info@ibi-lorenzini.com; nblundo@ibi-lorenzini.com; efadda@ibi-lorenzini.com	Trade Debt				\$1,012,758.00
11.	Pharmascience Inc 6111 Royalmount Suite 100 Montreal Quebec, H7p2t4 CANADA	Peter Skoutelas, Labrini Skarras, Nelly De Sousa Tel. 438-315-3434 customercarepms@pharmascience.com; NDeSousa@pharmascience.com	Trade Debt	Unliquidated			\$1,000,000.00
12.	Chongqing Taihao Pharmaceutical C-3 High Technology Zone 105 Chuangye Rd. Erlang Chongqing, 400039 CHINA	Amy Wu Tel. +86-23-6846 5115 info@polymedt.com	Trade Debt				\$924,506.00

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
13 Praxgen Pharmaceuticals, LLC 9 Deer Park Driver Suite J-10 Monmouth Junction, NJ 08852	Jane Li jane.li@praxgen.com	Trade Debt				\$847,677.00
14 Maiva Pharma Private Limited 32, Sipcot Industrial Complex Phase I Hosur, 635126 INDIA	Sellaraj Pandiyan info@maivapharma.com; sellaraj.s@maivapharma.com	Trade Debt				\$755,110.00
15 Eagle Pharmaceuticals, Inc. 50 Tice Blvd. Suite 315 Woodcliff Lake, NJ 07677	Kim Zahn, Violeta Dyankova Tel. 855-318-2170 arsupport@icsconnect.com	Trade Debt				\$734,134.00
16 Deloitte & Touche LLP P.O. Box 844708 Dallas, TX 75284-4708	Dan Whelehan dwhelehan@deloitte.com	Professional Services				\$650,285.00
17 Brammer Bio PO BOX 412576 Boston, MA 02241-2576	Mariano Zuniga mariano.zuniga@thermofisher.com	Trade Debt				\$613,692.00
18 EVER Valinjected Oberburgau 3 Unterach, 4866 AUSTRIA	Theresa Pachinger office@everpharma.com; theresa.pachinger@everpharma.com	Trade Debt				\$430,394.00
19 ACS Dobfar Viale Addetta, 6 Tribiano, MI, 20067 ITALY	Marco Vaccari, Paolo Vigevani Marco.Vaccari@acsdobfar.it; paolo.vigevani@acsdobfar.it	Trade Debt				\$335,400.00
20 Cooley LLP 101 California 5th Floor San Francisco, CA 94111-5800	Termia White Tel. 585.385.1880 Termia.White@cooley.com	Professional Services				\$261,211.00
21 Ernst & Young LLP Pittsbgh Ntnl Bnk- Pitt 640382 Pittsburgh, PA 15264-0382	Brett Cartner Tel. 716-843-5000 Brett.Cartner@ey.com	Professional Services				\$242,721.00

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
22 Avet Pharmaceuticals Inc. One Tower Center Blvd Suite 1700 East Brunswick, NJ 08816	Akeisha Edwards, Julian White Akeisha.Edwards@avetpharma.com; Juliana.White@avetpharma.com	Trade Debt				\$240,375.00
23 McKesson Medical Surgical P.O. Box 660266 Dallas, TX 75266-0266	Tabitha Wozniak Tel. (585) 427-8240 MMS.Credit@McKesson.com; Tabitha.Wozniak@McKesson.com	Trade Debt				\$225,953.00
24 Fort Schuyler Management Corporation 257 Fuller Road Albany, NY 12203	Patricia DeLane PDeLane@sunypoly.edu	Landlord				\$217,803.00
25 Vizient Supply LLC 75 Remittance Drive Suite 1420 Chicago, IL 60675-1420	Carlos Barbosa carlos.barboza@vizientinc.com	Trade Debt				\$203,581.00
26 Charles River Laboratories GPO Box 27812 New York, NY 10087-7812	James Williams Tel. 800-441-3550 James.Williams@crl.com	Trade Debt				\$201,224.00
27 Pace Analytical Life Sciences PO Box 684056 Chicago, IL 60695	Nisheet Gupta. Carol Nesheim Tel. 612-607-6400 Nisheet.Gupta@pacelabs.com; carol.nesheim@pacelabs.com	Trade Debt				\$200,906.00
28 Arnold & Porter 6200 Savoy Drive Suite 1200 Houston, TX 77036	Kenneth Hamilton Kenneth.Hamilton@arnoldporter.com	Professional Services				\$189,396.00
29 Quantum Leap Healthcare 499 Illinois Avenue Suite 200 San Francisco, CA 94158	Valerie Chin Tel. 855-866-0505 v.chin@quantumleaphealth.org	Trade Debt				\$165,000.00
30 BioAgilytix Labs LLC 2300 Englert Drive Durham, NC 27713	Isabel Malonson isabel.malonson@bioagilytix.com	Trade Debt				\$164,803.00

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

ATHENEX, INC.

Debtor.

Chapter 11

Case No. 23-\_\_\_\_\_ (\_\_\_\_)

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

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Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned authorized officer of the above-captioned Debtor, certifies that the following is a corporation other than the Debtor, or a governmental unit, that directly or indirectly owns 10% or more of any class of the corporation's equity interests, or states that there are no entities to report under FRBP 7007.1.

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Name: Perceptive Advisors LLC, et al  
Address: 51 Astor Place, 10th Floor  
New York, NY 10003

**IN THE UNITED STATES BANKRUPTCY COURT  
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In re:

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Chapter 11

Case No. 23-\_\_\_\_\_ (\_\_\_\_)

Debtor.

**LIST OF EQUITY SECURITY HOLDERS**

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Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case:

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Aidan M McCormack	170 Sands Point Rd PORT WASHINGTON NY 11050-1129	0.0278%
Amy Yah-Ping Shiao	4115 Fennel Terrace FREMONT CA 94538	0.0242%
Andrew Schoepfich	20 Lehn Springs Dr WILLIAMSVILLE NY 14221-6904	0.0424%
Annalisa Mary Jenkins	P O Box 1152 PRINCETON NJ 08542-1152	2.4688%
Avalon Biomedical (Management) Limited	11-13 & 15 15/F Tower 2 Grand Central Plaza 138 Shatin Rural Committee Road Shatin Nt HONG KONG	8.2148%
Avalon Polytom Limited	Units 11-13 & 15 15/F Tower 2 Grand Central Plaza 138 Shatin Rural Committee Road Shatin Nt HONG KONG	1.2972%
Baylor College Of Medicine	Attn General Counsel 1 Baylor Plaza Suite 106 A HOUSTON TX 77030	5.0420%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Beni Wolman	5 Ave 10-55 Zona 14 #08 01014 GUATEMALA	0.0273%
Betty A Gallagher	54 Nevada Oval PLATTSBURGH NY 12903-3968	0.0666%
Bharat C Thakrar	5747 N Odell Avenue CHICAGO IL 60631	0.0002%
Carlos Esteban Caparros	Araujo 285 Buenos Aires 1408 ARGENTINA	0.0958%
Carrie Kenner	18 Castle Ridge Dr EAST HANOVER NJ 07936-3548	0.0036%
Carter G Gantz	3024 Carmel St DALLAS TX 75204-6121	0.0532%
Charles A Grau	53 Gathering Rd Brook PINE BROOK NJ 07058	0.1764%
Cheng Albert Feng	1231 S Golden West Ave 6 ARCADIA CA 91007	0.0012%
Chia Yu Chang	8f No 175 Hongshulin Rd Tamsui Dist New Taipei City 71 251 TAIWAN	0.0061%
Clyde Salandra	631 Downing Ln BUFFALO NY 14221-8058	0.1363%
Crowley Family Trust	32 Belvedere Road BUFFALO NY 14220	0.0073%
Dan Higbee	196 Argonne Dr KENMORE NY 14217-2432	0.0024%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.3940%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.2662%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.1597%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.1401%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.1065%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.1065%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.0532%
David A Bangert	8128 Floss Ln EAST AMHERST NY 14051-1977	0.0479%
David Guido	802 Niagara Pkwy NORTH TONAWANDA NY 14120-4128	0.0024%
David J Altman	5062 Donnington Road CLARENCE NY 14031	0.4088%
Deborah Lipp	22 S Roycroft Blvd CHEEKWAGA NY 14225-2033	0.0012%
Diane J Mcmahon	6548 Monterey Point 103 NAPLES FL 34105	0.0363%
Douglas Cox	6550 Colonial Drive BOSTON NY 14025	0.0760%
Edryce H Cadden	615 Crofton Ave HIGHLAND PARK IL 60035-3909	0.0024%
Edward Pionke	924 W Margate Ter 1e CHICAGO IL 60640	0.0361%
Edward Plata	56 Grand View Trail ORCHARD PARK NY 14127	0.0409%
Edward T Plata	56 Grand View Trail ORCHARD PARK NY 14127	0.0695%
Elizabeth Evans	5482 Rolling Creek Dr CLARENCE NY 14031-1132	0.0024%
Fortune Tong Limited	Attn William Yuen Fai Lai 12/F East Town Bldg 41 Lockhart Road Wan Chai HONG KONG	1.0648%
Frank H Penski	15 Avenue De La Mer Unit 2601 PALM COAST FL 32137	0.0278%
Garth D Gallagher	54 Nevada Oval PLATTSBURGH NY 12903-3968	0.0666%
George M Narby	610 Prestwick Dr DOOTHAN AL 36305-1194	0.0537%
Gregory P Ohara	1808 Patio Dr SAN JOSE CA 95125-5649	0.0278%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Guy Plonka	1058 Clinton Street ATTICA NY 14011	0.0099%
Harika Keerthi	2275 E Fandango Dr GILBERT AZ 85298-1124	0.0012%
Holly Jane Emerson	16 Lakeside Drive PALM COAST FL 32137	0.0133%
Horace Loh	2405 Dianna Lane St Paul SAINT PAUL MN 55117	0.2662%
Hugo William Avila	12 Calle 21-45 Zona 11 Apt A 01011 GUATEMALA	0.0344%
Ildiko Bezi	124 Macarthur Dr EDISON NJ 08837-2828	0.0048%
Irene Vasquez	2301 S Ocean Dr # 1902 HOLLYWOOD FL 33019	0.0549%
Jacobo Sabbaj & Perla Sabbaj Tr Ua 08/08/2018 Jacobo And Perla Sabbaj Living	311 Westover Drive BIRMINGHAM AL 35209	0.1984%
Jeffrey W Sacks	45 Old Colony Road Newton CHESTNUT HILL MA 02467	0.0140%
Jennifer A Emberly	112 Marinda Dr FAIRFAX CA 94930	0.0140%
Jennifer G Van Haall	1436 W Rue Paris Pl INVERNESS IL 60067-1225	0.0121%
Jennifer Kurzdorfer	39 Deer Trail CHEEKWAGA NY 14227-1610	0.0012%
Jing Li	Haitangxiaoyue C11-16-2 Nanping East Road 587# Nanan District Chongqing CHINA	0.4356%
Jinn Wu	6 Dey Farm Drive PRINCETON JCT NJ 08550-2840	1.2713%
John M Vierling	6435 Brompton Road HOUSTON TX 77005	1.2713%
John P Patti Jr	10 Meadowbrook Dr ELMA NY 14059-9524	0.1065%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Johnson Lau	6230 Cedar Creek Drive HOUSTON TX 77057	16.2418%
Jorge G Guerra & Elsa D Guerra Tr Ua 01/06/2014 Jorge And Elsa Guerra Trust	251 Crandon Blvd # 736 KEY BISCAYNE FL 33149	0.0002%
Jose Leon Antonio Arango	4 Ave 22-22 Zona 14 #012 01014 GUATEMALA	0.1984%
Joseph Voelkl	210 Briarhill WILLIAMSVILLE NY 14221	0.0547%
Julie Ulrich	8872 Woodside Dr EDEN NY 14057-1400	0.0145%
Jung-Tzu Hus	C/O Athenex Conventus Building 1001 Main Street Suite 600 BUFFALO NY 14203	0.0036%
Karen Frisella	587 A Shoreline Rd LAKE BARRINGTON IL 60010-7381	0.0121%
Karen Gatewood	771 Wild Ginger Rd SUGAR GROVE IL 60554-9280	0.0121%
Kathleen Sardina	9354 Pinyon Court CLARENCE CENTER NY 14032-9143	0.0242%
Kent Keating	237 Main St Suite 1701 BUFFALO NY 14203	0.0341%
Kirit C Thakrar	1934 Sheridan Rd BUFFALO GROVE IL 60089-8019	0.0448%
Kristin Tomas	177 N Park Ave BUFFALO NY 14216-2419	0.0121%
Larry Yushiao	4115 Fennel Terrace FREMONT CA 94538	0.0242%
Main Life Corporation Limited	9/F Winning Centre 46-48 Wyndham Street Central HONG KONG	6.5159%
Mandra Health Limited	Attn Ben Tang 10/F Fung House 19-20 Connaught Road Central HONG KONG	3.4750%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Manson Fok	House 3 56 Repulse Bay Road Repulse Bay HONG KONG	1.1217%
Mary Anne Furlani	160 Independence Drive ORCHARD PARK NY 14127	0.0244%
Michael J Endl	2 Four Winds Way SNYDER NY 14226	0.0661%
Michael Smolinski	92 Newgate AMHERST NY 14226	0.0121%
Michelle L Redman	4125 Elma Rd WILLIAMSVILLE NY 14221-7337	0.0048%
Min-Fun Rudolf Kwan	9 Friar Tuck Circle SUMMIT NJ 07901	7.8346%
Min-Fun Rudolf Kwan	9 Friar Tuck Circle Circle Summit SUMMIT NJ 07901	0.3696%
Monica H Sussman	10972 Boca Woods Ln BOCA RATON FL 33428-2850	0.0140%
Monika Sokolowski	232 Nathans Trail LANCASTER NY 14086	0.0085%
Murray John Cutler	1001 Main St Apt 600 BUFFALO NY 14203-1009	0.0012%
Mustafa Ladha	1296 Noah Rd NORTH BRUNSWICK NJ 08902-1319	0.0024%
Norman J Gantz	200 Ahwahnee Rd LAKE FOREST IL 60045	0.1597%
Patrick Gallagher	750 N Tamiami Trl Unit 619 SARASOTA FL 34236-4075	0.1452%
Perceptive Life Sciences Master Fund Ltd	C/O Perceptive Advisors LLC Attn Steve Berger 51 Astor Place 10th Floor NEW YORK NY 10003	32.4239%
Raymond Lynnworth & Rochelle Lynnworth Ten Com	308 Clinton Avenue TOMS RIVER NJ 08753	0.3797%
Richard C Stoddard	208 Spyglass Ln JUPITER FL 33477-4091	0.7171%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Richard F Langan Jr	114 East 84th Street Apt 3b NEW YORK NY 10028	0.0278%
Robert Cabana	18 Devon Rd BOONTON NJ 07005	0.2948%
Robert Jay Spiegel	400 Elm Street WESTFIELD NJ 07090	0.4487%
Rosario De Jesus Carrillo	3a Calle 06-23 Zona 15 01015 GUATEMALA	0.0547%
Russell Jeffrey Bodner	9n321 Barron Rd MAPLE PARK IL 60151-9406	0.0073%
Sadashiv S Shenoy	78 Brownstone Court EAST AMHERST NY 14051	0.1484%
Sameer Urgaonkar	11908 Tivoli Park Row Unit 8 SAN DIEGO CA 92128-4347	0.0061%
Samuel Zwierzchowski	94 Bramhill Court EAST AMHERST NY 14051-2408	0.0024%
Stephanie Davis	Korn Ferry 1900 Avenue Of The Stars Flr 26 LOS ANGELES CA 90067	0.7105%
Stephen J Wallace	45 Sutton Sq Sw Unit 401 WASHINGTON DC 20024-3483	0.0278%
Stephen M Meltz	2001 Tower Dr Unit 340 D GLENVIEW IL 60026	0.0133%
Stephen M Meltz	2001 Tower Dr Unit 340 GLENVIEW IL 60026-7810	0.0121%
Stephen M Newman	109d Palm Bay Drive PALM BEACH GARDENS FL 33418	0.0002%
Steven G Kamen Tod On File Subject To Cpu Rules	63 Vista Drive SARATOGA SPGS NY 12866	0.0900%
Susan S Robfogel	9182 Luckenbach Hill Road SPRINGWATER NY 14560	0.0278%
Tamara B Owen	23 Lakeview Ct ELMA NY 14059-9288	0.0017%
Thomas C Underwood	8697 Hartshorn Road CORFU NY 14036	0.1331%

<b>Equity Holder</b>	<b>Address of Equity Holder</b>	<b>Percentage of Equity Held</b>
Thomas Hecht	Buergenstockhoehe 15ch 6403 Kuessnacht SWITZERLAND	0.7747%
Thomas R Elmer Jr Tod On File Subject To Cpu Rules	5713 E River Rd GRAND ISLAND NY 14072-1051	0.0682%
Tiffany Nolan	1666 Florence Dr SYCAMORE IL 60178-1022	0.0024%
Timothy D Cook	30 Clove Hitch Ln SANTA RSA BCH FL 32459	0.7996%
Tom Trometer	23 Cary Avenue LEXINGTON MA 02421	0.0065%
Triwu Property Management Llc	Attn Michael Mazzone Manager 1322 S Wabash Ave Unit A CHICAGO IL 60605	0.0133%
Tsang Benson Kwan Hung	1701 Block 19 Heng Fa Chuen Chaiwan HONG KONG	1.7200%
Usha Ganatra	Gulab Mension Room No 1 Maharashtra Nagar Lt Rd Borivali West Mumbai Maharashtra 40092 INDIA	0.0448%
Varda Ulhaq	303 Blossom Cr DAYTON NJ 08810-2404	0.0024%
Wayne Mertz	320 S Cayuga Rd BUFFALO NY 14221	0.0121%
Will Murray	38 Summerfield Dr LANCASTER NY 14086-9469	0.0024%
<b>Totals</b>		<b>100.00%</b>

**IN THE UNITED STATES BANKRUPTCY COURT  
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In re:

ATHENEX, INC.

Debtor.

Chapter 11

Case No. 23-\_\_\_\_\_ (\_\_\_\_)

**CERTIFICATION OF CREDITOR MATRIX**

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Pursuant to Rule 1007 of the Federal Rules of Bankruptcy Procedure, the above captioned debtor and its affiliated debtors in possession (collectively, the “Debtors”)<sup>1</sup> hereby certify that the *Creditor Matrix* submitted herewith contains the names and addresses of the Debtors’ creditors. To the best of the Debtors’ knowledge, the *Creditor Matrix* is complete, correct, and consistent with the Debtors’ books and records.

The information contained herein is based upon a review of the Debtors’ books and records as of the petition date. However, no comprehensive legal and/or factual investigations with regard to possible defenses to any claims set forth in the *Creditor Matrix* have been completed. Therefore, the listing does not, and should not, be deemed to constitute: (1) a waiver of any defense to any listed claims; (2) an acknowledgement of the allowability of any listed claims; and/or (3) a waiver of any other right or legal position of the Debtors.

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<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://dm.epiq11.com/athenex>. The location of Athenex, Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 1001 Main Street, Suite 600, Buffalo, NY 14203.